

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NORMAN M. PELKEY,
Petitioner,

CIVIL ACTION

v.

LAUREL HARRY,
Respondent.

NO. 14-2073

ORDER

AND NOW, this 1st day of March, 2016, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Norman M. Pelkey, the record in this case, the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated January 12, 2016, and *pro se* Petitioner's Request for a [sic] Evidentiary Hearing, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated January 12, 2016, is **APPROVED** and **ADOPTED**;
2. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by *pro se* petitioner, Norman M. Pelkey, is **DISMISSED**, without an evidentiary hearing on the ground that the record in the case establishes that all claims set forth in the Petition are time-barred and procedurally defaulted;
3. *Pro se* Petitioner's Request for a [sic] Evidentiary Hearing is **DENIED**; and,
4. A certificate of appealability will not issue because reasonable jurists would not debate the propriety of this Court's procedural rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.